



STATE OF MAINE
DEPARTMENT OF EDUCATION
23 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0023

JOHN ELIAS BALDACCI
GOVERNOR

SUSAN A. GENDRON
COMMISSIONER

September 3, 2008

David Galli
8 Tiffany Lane
Saco, ME 04072

Dear Mr. Galli:

Thank you for the Reorganization Plan that you submitted on behalf of Saco School Department, Dayton School Department, and Old Orchard Beach School Department on August 26, 2008 for Department review for compliance with the school reorganization law, P.L. 2007, chapter 240, Part XXXX.

I recognize how much time, effort and thoughtful work is required to complete a reorganization plan and appreciate the efforts made, to date, by all those involved.

Members of my staff and I have reviewed the submission and offer the comments and notes listed below to assist you in completing the plan. If you make any substantive change(s) to any part of the plan beyond those listed below, please be sure to note those on the Updated Reorganization Plan Cover Sheet Checklist, along with notation of those items that have changed per the notes contained in this response.

General Documentation (Submittal Sheet)

- The Reorganization Plan Cover Sheets - Checklist (3) are missing; please include these 3 pages with your revisions.
- Please remove all references to "RSU 56" from your plan. The Department cannot assign a regional school unit number until after the reorganization plan is approved by the Commissioner and the voters at referendum.

Checklist/Plan Text Items

With respect to the items submitted as "complete", please note the following

** Required Elements*

11-A. and 11-B. Please include language indicating that either of these options would require approval from the Commissioner to move forward, or use the Drummond Woodsum model language that includes citations to the process.

12. Each regional school unit's plan must provide an estimate of the cost savings to be achieved by the formation of a regional school unit and how these savings will be achieved in accordance with 20-A MRSA 1461(3)(A)(12) and in sufficient detail to provide clear direction for the new regional school unit prior to plan approval. Please provide the information regarding estimated cost savings; and please consider using the guidance offered in the Drummond Woodsum workshop materials.

13-D. If an SAU provides choice, it must be preserved for all students under the reorganization law, Section 1479(4), unless the SAU member of the proposed RSU changes its policy prior to the operational date of the RSU. The approach labeled here as "School Choice" and described here as limited to certain students for a limited time is a description of tuitioning arrangements but does not comply with the requirement for preservation of school choice under the reorganization law. What is described in the plan is permissible as an element of the Reorganization Plan, but not labeled as "School Choice." Please clarify this section to either describe this as something other than choice, or to comply with the provisions of the reorganization law governing school choice.

14. The Commissioner's approval of a reorganization plan is of the plan as written on a date certain. Please clarify that future amendments to the plan, prior to the public vote, require Commissioner approval.

Exhibits 7-A1 and 7A-2. Please submit "clean" copies of this section with your final plan submission (i.e., remove track changes).

We will review all items on the checklist again, upon your completion of the plan.

SUBMISSION OF REVISIONS:

Please provide the additional materials to complete your plan as soon as possible in order to ensure you meet the November 4, 2008 referendum date requirements. Please include:

- Any additional data required
- An updated Submittal Page with Signatures

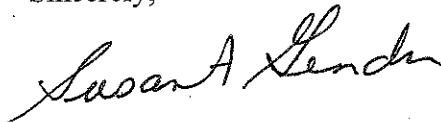
- An updated Cover Sheet Checklist
- A copy of this Response from the Commissioner.

I will respond no more than 14 days after the revisions/additional materials are refiled with the Department. As you are the contact person identified on the Submittal Sheet, this response is addressed to you but with the understanding that you will share it with your school administrative unit board members, RPC members and others involved with this Reorganization Plan.

Finally, what I am reviewing for approval is a plan (or a submission, if the plan is incomplete) which is by its very nature prospective, with steps yet to be taken or finalized; and any review comments or approval given are in relation to the elements required under P.L 2007, chapter 240, Part XXXX but not the legality of all the activities proposed. Thus, I strongly recommend that you have your own legal advisor(s) review the details of any particular transaction proposed in your plan (particularly with respect to the disposition of property, to debt, and to employee contracts/relations) as you proceed, to ensure the legality of the steps you'll be taking to implement the plan. If that review leads to any substantive changes in any parts of your plan, please be sure to submit an amended plan to the Department for our review and our file.

Again, my sincere thanks for your efforts.

Sincerely,



Susan A. Gendron
Commissioner of Education

cc: Mike Lafortune, Superintendent, Union 7
Jack Turcotte, Superintendent, Old Orchard Beach School Department
Gerald Clockedile, Facilitator